

HOUSE BILL 3142  
By DuBois

AN ACT to amend Tennessee Code Annotated, Title 29;  
Title 53 and Title 63, relative to liability involving  
prescriptions filled with products from outside of  
the United States or its territories.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by  
adding the following as a new section:

29-34-207.

Notwithstanding any other provision of law or rule of civil procedure, a physician  
licensed under title 63, chapter 6, shall not be subject to civil liability in an action for  
damages caused by the plaintiff filling a prescription with a product from outside the  
United States or its territories and in violation of the federal Food, Drug and Cosmetic  
Act, or of title 21 of the Code of Federal Regulations, unless the plaintiff pleads specific  
facts which, if proven, amount to negligence of such physician.

SECTION 2. If any provision of this act or the application thereof to any person or  
circumstance is held invalid, such invalidity shall not affect other provisions or applications of the  
act which can be given effect without the invalid provision or application, and to that end the  
provisions of this act are declared to be severable.

SECTION 3. This act shall take effect July 1, 2006, the public welfare requiring it. This  
act shall apply to causes of action arising on or after July 1, 2006.